



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Harold F. Ross

Title: METHOD OF USING AN ICE
CREAM MACHINE

Appl. No.: 10/689,864

Filing Date: 10/21/2003

Examiner: Not Yet Known

Art Unit: Not Yet Known

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on the date below.	
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January 12, 2004	_____ (Date of Deposit)

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document, except as noted below, is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit copies of U.S. patents and U.S. patent application publications when citing and submitting an Information Disclosure Statements in a patent application filed after June 30, 2003 and in an international application that has entered the national stage under 37 USC §371 after June 30, 2003. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to Pre-OG Notice from Office of Patent Legal Administration dated July 25, 2003, *Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003.*

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the filing date of the application.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a

check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Respectfully submitted,

Date 1-12-04

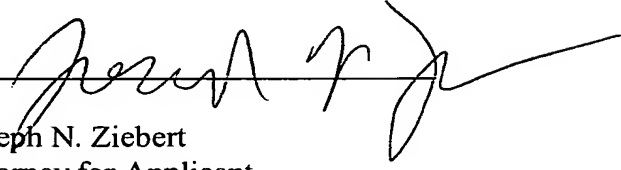
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By


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	Substitute for form 1449B/PTO		Complete if Known	
	INFORMATION DISCLOSURE		Application Number	10/689,864
	STATEMENT BY APPLICANT		Filing Date	10/21/2003
	Date Submitted: January 9, 2004		First Named Inventor	Harold F. Ross
	Use as many sheets as necessary)		Group Art Unit	Not Yet Known
	1 of 2		Examiner Name	Not Yet Known
			Attorney Docket Number	071402-0117

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	2003/0150236	A1	Ross et al.	08/14/2003	
	A2	2003/0150227	A1	Ross et al.	08/14/2003	
	A3	2003/0061830	A1	Ross	04/03/2003	
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	A19	4,878,760		Newton et al.	11/07/1989	
	A20	4,758,097		Iles, Sr.	07/19/1988	
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	A25	4,502,617		Stecker et al.	03/05/1985	
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	A29	4,332,145		Yuhasz et al.	06/01/1982	
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	A32	4,094,168		Hamner et al.	06/13/1978	
	A33	4,052,180		Erickson	10/04/1977	
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	A39	3,264,836		Miller et al.	08/09/1966	
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	A41	3,229,647		Von Drachenfels et al.	01/18/1966	
	A42	3,227,904		Levin	01/4/1966	

Examiner Signature	Date Considered
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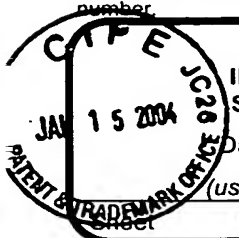
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

Date Submitted: January 9, 2004

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of

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Examiner Name	Not Yet Known
Attorney Docket Number	071402-0117

U.S. PATENT DOCUMENTS

		U.S. Patent Document			
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A44	2,772,784		Cyphers et al.	12/04/1956	
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A57	1,698,941		Davenport	01/15/1929	
A58	967,503		Davis	08/16/1910	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	A59	WO	99/65325	A1	Tucker et al.	12/23/1999		

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶

Examiner
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